

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2014-30-C - ORDER NO. 2014-168
FEBRUARY 25, 2014

IN RE: Petition of BellSouth Telecommunications,)	ORDER REVERSING
LLC d/b/a AT&T South Carolina for Review)	NANPA IN THE SENECA
of Numbering Resources Determination in)	RATE CENTER
the Seneca Rate Center - Duke Energy)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Petition of BellSouth Telecommunications, LLC d/b/a AT&T South Carolina (“AT&T” or the “Company”) for review of the North American Numbering Plan Administrator’s and/or the Pooling Administrator’s (collectively “NANPA/PA” also known as “Central Office Code Administration”) central office code numbering resources decision to deny the Company’s request for numbering resources in the Seneca Rate Center. AT&T’s customer who needs the additional numbering resources is Duke Energy Corporation. This customer requested the assignment of five thousands-blocks in the 864 NPA, specifically 864-XXX-0XXX, 864-XXX-1XXX, 864-XXX-7XXX, 864-XXX-8XXX, and 864-XXX-9XXX. According to AT&T, it submitted the request to NANPA/PA on December 12, 2013. AT&T states it does not have the numbers to meet its customer’s request and asks that the Commission reverse NANPA/PA’s denial.

NANPA/PA's refusal stems from the Federal Communications Commission's ("FCC") "rate center" basis for determining the need for new numbering resources. Under FCC rules, carriers must exhaust their numbering inventory within six months of the application and meet a rate center utilization threshold of 75% in order to receive additional numbering resources. However, the record reveals that the Seneca Rate Center did not meet these criteria at the time of the request.

Although AT&T fails to meet NANPA/PA's requirements, the FCC maintains a policy that "under no circumstances should customers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources." FCC 000-429 at ¶ 61. To this end, the FCC allows carriers to challenge a NANPA/PA decision at the appropriate state regulatory commission. FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0. States may grant relief "if a carrier demonstrates that it has received a request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362 at ¶ 64.

We find that the South Carolina Public Service Commission, as the regulator of the rates and service of telecommunications companies under the authority of S.C. Code Ann. § 58-9-10 et seq., has the authority under both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines to review a decision by NANPA/PA denying a request for numbering resources. We further find that AT&T has demonstrated receipt of a customer request for numbering resources that it cannot meet with its current inventory. It is our opinion that these additional numbering resources are necessary for

AT&T to provide its customer with the required telecommunications service.

Consequently, we hold that NANPA/PA is directed to approve AT&T's request.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



Nikiya Hall, Vice Chairman

(SEAL)